



THOMAS L. TAROLLI
ROBERT B. SUNDHEIM
CALVIN G. COVELL
BARRY L. TUMMINO
PAUL E. SZABO
JAMES L. TAROLLI
RONALD M. KACHMARIK
RICHARD S. WESORICK
GARY J. PITZER

RICHARD A. SUTKUS
MATTHEW M. SHAHEEN
ROBERT N. LIPCSIK
ALICIA M. CHOI

TAROLLI, SUNDHEIM, COVELL, TUMMINO & SZABO L.L.P.

ATTORNEYS AT LAW

1111 LEADER BUILDING
526 SUPERIOR AVENUE • CLEVELAND, OHIO 44114-1400
FACSIMILE No. (216) 621-4072
TELEPHONE No. (216) 621-2234
E-mail: tarolli@tarolli.com

INTELLECTUAL
PROPERTY LAW

OF COUNSEL
RICHARD H. THOMAS

October 19, 2001

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Re: Notice of Missing Parts and Notice of Incomplete
Nonprovisional Application for application Serial Nos.
09/925,711 and 09/925,736.

Dear Sir:

This letter is to summarize telephone conversations of
October 5, 2001 and October 19, 2001 with the Office of Initial
Patent Examination Division of the United States Patent Office
concerning the above identified patent applications.

1. On August 9, 2001 our office filed a patent application.
2. On August 23, 2001 our office received a Filing Receipt and a Notice to File Missing Parts for this application given the Serial No. 09/925,711.
3. On August 27, 2001 our office received a Notice of Incomplete Nonprovisional Application for the same application given a different Serial No. 09/925,736.
4. On October 3, 2001 our office received a Notice of New Assigned Application Number stating that, through a Patent Office administrative error, the application Serial No. 09/925,736 was assigned an incorrect application number. The notice also stated that the correct application number is 09/925,711.

*Section
6/8/01 missing
parts
Y. D. Smith
2/27/02*

5. On October 5, 2001 we contacted the Office of Initial Patent Examination Division and spoke specifically to a Ms. Evans regarding the two separate actions and different serial numbers for the same application. We requested that the Patent and Trademark Office reconstruct the file that was initially separated into two files and for which the actions of items 2 and 3 were sent.
6. On October 19, 2001 our office contacted the Initial Patent Examination Division and were informed that the two separate files are being recombined into a single file.
7. On October 23, 2001 a response to the Notice of Missing Parts is due for Serial No. 09/925,711. On October 27, 2001 a response to the Notice of Incomplete Nonprovisional Application is due for 09/925,736. We have not received any confirmation in writing from the Patent and Trademark Office that the files have been recombined.
8. Because of the information that the two files are being recombined into a single file, we will not be responding to the Notices.
9. We request written confirmation that the two files have been recombined into a single file.

Very truly yours,



Thomas L Tarolli
Reg. No. 20,177

TLT/rk